

Article

Aviators Grounded by COVID-19 (But Mediators Are Ready to Fly)

Anna Doyle*

1 Introduction

18 When I became a mediator 16 years ago, I was greatly inspired by the work of Ken Cloke. I thanked Ken profusely after attending a 2-day Master Class he gave in Edinburgh in December 2008, organised by the renowned John Sturrock Q.C. of Core Solutions. I told Ken afterwards that his wisdom had opened up new frontiers within me, to which he replied “I could not have opened them if they were not already there!”

Today, in 2020, there are undoubtedly new frontiers opening up for the mediators’ profession. Aviators may have been grounded by COVID-19 but mediators are ready to fly. We learned our trade at the feet of the experts, the masters, the giants of our profession who (like Cloke) generously share their wisdom. The potential to explore new frontiers may have always existed, but that potential was not always evident.

After my Master Class, I wrote a summary to capture it for my own future guidance and I sent a copy to John, for information. He suggested that I also send it to Ken, which I did. My summary recalled how the Master Class experience was like being given instructions on how to fly, only to discover later, when I dared to test my wings as a fledgling mediator, that I could indeed hover off the ground for an instant or two! But Ken Cloke not only flies as a mediator, he soars and continues to reach new heights. He shows us how to defy grav-

* Anna (Walsh) Doyle is an International Mediator & CMJ Editorial Board member. She is also an external Mediator on the Global Mediation Panel at the Office of the Ombudsman for UN Funds and Programmes (independent contractor serving on an on-call basis).

ity by mediating in any situation. He demonstrates how to begin to vibrate on a frequency that enables us, not only to fly, but also to swiftly change direction. As he modestly confided to his Edinburgh audience back then, “I’m just making all this up as I go along. If it feels right to me, I’ll do it”

I did get a speedy reply from Ken and, like his Master Class, it was most generous. He wrote

You captured the essence and really understood what it was about. And thank you for doing this. You can send it to whomever you wish and publish it if you wish, and the more the merrier.

This document has been my trusted mediator’s ‘Flight Plan’ since 2008 and I believe now is the time to give wings to its wisdom and let it fly. Whenever I feel turbulence in a mediation, or have momentarily lost my path or need to take my bearings and plot a new course, I consult my trusted plan. I hope that publishing it in the CMJ and letting it fly solo will help other mediators to explore new frontiers and to safely navigate through conflicts and on to safe landings.

2 The Mediator’s ‘Flight Plan’

1. Getting started
2. Begin in the place where you are
3. What is conflict?
4. Getting the physical environment right to address conflict
5. Finding the right words and the right dimension
6. Some useful questions (...to ask yourself, or others)
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22. Interpreting what you have learnt – *do it your own way*

2.1 Getting Started

If you want to become a good mediator, learn how to develop empathetic resonance and understanding. It's like learning to ride a bicycle in that you will never forget how to do it once you know! You could also develop a Zen attitude which, simply put, just means "being available for anything at every moment". So speaks Ken Cloke, world-renowned mediator and human being extraordinaire.

Learn from those whom you have confidence in and begin to read the undertones, the subtleties, the things that are invisible, Cloke tells us. Become sensitive to, and aware of, emotional nuances. Use your antennae (that's what they're there for!). It may be helpful to think of conflict as a reverse iceberg. The bit that appears above the surface represents the issues, but underneath there are personal interests, emotions, identities and true meaning.

2.2 Begin in the Place Where You Are

If you are working in an organisation, get tuned into the systems of that organisation and become aware of where they may be malfunctioning. The sometimes-chaotic evolution of organisations and constant change initiatives can become a never-ending source of accidental conflict that becomes multiplied over and over again. Streams of conflict can, therefore, be generated unknowingly and unwittingly from organisational systems that could (sometimes quite easily) be tweaked to prevent similar unwelcome occurrences taking place in the future. This is where conflict resolution systems design comes in and it is one of the objectives of the newly formed Mediators' Beyond Borders, of which Ken Cloke is the President.

Becoming effective at conflict resolution systems design means that you need to develop new tools, new ideas and to be willing to learn from experience. Active pursuit of experiences, coupled with a willingness to genuinely learn from them, certainly beats sitting back and waiting for the miracle that may never happen. If you're looking to bring about a change in thinking, then by all

means use your head but you can also take a more scientific approach that can bring about a fundamental shift in the way you, and others, interact.

There is a constant dynamic between desire and frustration; between things that are acknowledged and those that are unacknowledged; between movement and being stuck; between the spoken and the unspoken. Tune into these vibrations and learn how to sense them, taking them inside you and expanding your sense of self, and others, in the process.

2.3 What Is Conflict?

What do you need in order to have conflict? Quite simply, you need two or more people. You can also have two or more sides of the same person.

Therefore, you need 2+ as well as a physical environment and circumstances. As a mediator, you can meet with these people together, separately, in caucus, publicly, privately and you can use various influences to bear in order to try to bring about a shift in the dynamics of the conflict. You can also positively influence things so as bring about a situation where you can prevent the conflict from moving forward or escalating. When you are tuned in as a mediator, you can enable the parties to diffuse a conflict, or to accelerate it, or to solve it, or forget it, or get over it, or abandon it, or leave it for another time, or place, or whenever. Remember to ask them what they want to do with it. The conflict is theirs, not yours.

2.4 Getting the Physical Environment Right to Address Conflict

There are a set of techniques that, as a mediator, you need to be familiar with since they are purely physical in nature. These include how you approach the parties, literally. You can, for example:

- separate them;
- sit them down;
- slow the pace;
- modulate your voice;
- bring the resonance of energy to it (e.g. drop your voice);
- stop and think what's really going on;
- encourage them to do the same;
- have easy access to rest room facilities;
- invite them to use them;
- feed them;
- offer them something to drink;
- provide kindly hospitality;
- be concerned for their well-being and comfort;
- consider the best use of a table;
- sit around the table;
- sit beside it;
- sit opposite each other;
- have no table;
- put the people sitting opposite each other and the mediator sitting at the side (becoming visible and intervening only when needed).

Use a combination of appropriate measures, coupled with aware and sensitive timing of interventions and

silences, to maximise the energy of connections between the parties, oscillating, amplifying and diminishing as necessary. Move in and out to add emphasis or allow space for reflection. All this facilitates the smooth orchestration of the mediation process, while ensuring that players are fully involved from the essence of their core.

2.5 Finding the Right Words and the Right Dimension

As well as getting the physical environment right, words are the tools of the trade of mediation. Knowing what to say and what to leave unsaid is a wisdom that comes with time. The courage to use silences, or a knowing look, a timely glance or an encouraging gesture all contribute to the making of a mediator. Some words may resonate with you during mediation and help you to better focus in getting into the dynamic, the groove, of the mediation process, as well as getting a better sense of the conflict environment. Also try to:

- get a good physical sense of the conflict zone limit with, and between, the parties;
- use the drop-down technique (either of voice, or eyes or posture) to make emphasis and to maximise the effectiveness of silences and thinking time;
- be aware of letting go of your defensiveness at a physical level and show it;
- be cognisant of trauma that is still palpable or visible and be careful not to make any unwelcome boundary violations of either party;
- be fully awake and alert – get in touch with your sense of yourself, your core;
- if you are well tuned in between body, mind and spirit, your brain will moderate appropriate and timely interventions, striking the right balance;
- recognising the existence or absence of something, in ourselves or another, liberates us to become free to act authentically and credibly;
- mirroring the behaviour of the other clients allows you to tune into where they're at, to vibrate at the same frequency and to capture the various angles of the discussion;
- open up so that you intuitively know where they're coming from and can find the right pathways to explore (they will show you and lead you, if you let them);
- a good place to start this process is to make an initial connection at a physical level by mirroring their posture;
- drape your body in an apparently unconscious way to show empathy and convey a sense of recognition and harmony with them;
- this will pave the way to slipping into reflecting a similar state of mind;
- it is important not to get caught doing this as it may come across as mimicking, at best, and as confrontational, at worst;
- once you are in sync with the other person, you can shift them more easily in a more open direction;

- repeat the process with the other party, either sequentially or in parallel and when you are confident that you have embraced both of their vibrations, then you can start, as it were, to make music together and begin to create some harmony;
- if they stray, or you lapse, you can re-engage with them by connecting non-dominant eyes (usually the dominant eye is on the same side as a person parts their hair.... know which one is yours!);
- remember to use a spotlight technique to pinpoint and a searchlight technique to illuminate the whole;
- variations of the physical environment, short breaks, visits to rest rooms, caucus sessions or subtle changes to the physical environment can be useful to use if you need to get things unstuck and start again, or if you want to encourage the parties to change direction.

The complete formula involves the following dimensions:

Energy	Dimension	Methodology	Outcome	Remarks
30%	2+ people	Physical	Caucus	Stop the fighting
30%	Disagreement on issues	Mental	Analysis	Settle
97%	Anger, fear, guilt, grief...	Emotional	Acknowledge	Resolution
Tiny%	Holding on to the memory	Spiritual	Apology	Freedom/forgiveness
The rest	Closed hearted	Heart	Generosity	Reconcile
Overall negative context	Organisational	Systemic	Conflict resolution systems design	Prevention or reduction in severity of conflict

2.6 Some Useful Questions

Q. How much of your lifetime's energy are you prepared to tie up indefinitely in this conflict?

Q. What, if anything, are you prepared to do about resolving this conflict, now?

Q. What are you afraid of?

Q. Why do you care so deeply about this?

Q. How would you feel if ...?

Q. If we were to find a solution to this conflict, what might it look like?

Q How much more time and life energy are you willing to spend on something that is over?

Be aware of your, and their, default settings in approaching conflict. People may come to mediation unconsciously pre-programmed for a certain outcome. Be ready to help them to identify and tackle this.

Remember, oxytocin (a hormone released into your system during pregnancy and sex, Cloke explains) dismantles adrenalin. Oxytocin produces endorphins that go to make up our feel-good factor. There is a basic difference in approaches to conflict when it comes to men and women where emotions are involved. Women tend to focus on the details while men tend to look at the overall package.

Where emotions are becoming an obstacle, try to divert them towards logic (*e.g. where were you on the night of the 25th February?*)

Where there is anger, it means that the conflict is playing out at a superficial level, just under the surface. When you can get to what are the real depths, what lies beneath, you may encounter other emotions such as fear and loss, with pain, guilt and grief. At the very bottom there is love. The right question will seek out the good response.

2.7 Avoid Making Statements or Assumptions

Asking questions gives the mediator the permission needed in order to penetrate and enter into the vibration of the other person and to suggest (not to dictate or decide) on a course of action. The initiative must *always* remain with the parties.

Transformative mediation literally means that you can begin to change the form of the conflict through the process of mediation. So, always ask the question that enables them to drop down to the next level (see the grid above). Help them to become aware that a significant part of their life energy is tied up in the conflict and that they have the power to change this if they so wish. Resolving the conflict is one thing but encouraging them to go further and to let go of the memory, or of the spiritual dimension of the hurt, involves exploring at another level. It may, or may not, be possible to achieve this with the parties. It is their decision and there is no failure on the part of the mediator if they are unable or unwilling to go there.

2.8 Getting to the Core and Opening Up to Forgiveness

At certain points during the mediation, you may feel as mediator that you can take the parties to the deepest level. You are on the brink of a transformational moment. Here is a useful technique for doing this.

Say, for example,

Here's what we have agreed on so far. Would you now be ready to take another small step? To let go of

the conflict altogether? Would you be willing, for example, to say you're sorry or that you forgive him?

There is a five-step forgiveness process that can help you to release yourself from the burden of your own false expectations. This involves:

1. Remembering exactly what happened and how you felt.
2. Understanding what happened to the other person and being aware of how they feel. How is it different for them?
3. Based on counter-intuition, can you identify all of the reasons why you should not forgive them? Are there unmet expectations that we have not yet spoken of? Is there something they did not do that they could have done? Would it help if they were to do it or say it now? Can you use the words that you would like them to say to you?
4. Could you decide to pick the low-hanging fruit here? Could you decide to release yourself from these expectations? Could you identify what not doing so would cost you in the long run? Do you know that the price of anything is the amount of your life that you are prepared to pay for it? Would you be willing to put the counter back to zero and to do it here and now?
5. Good, can we talk for a few minutes about how we could design a ritual of completion and closure? What might happen to bring this to completion and to get closure? (e.g. shake hands, a small gesture of kindness, an act of reconciliation or making good a damage that has been done or a hurt that has been caused). It is entirely up to you to decide so that when you look back on this time in your life you will remember the outcome with good memories rather than it becoming a source of pain or regret. You don't want to end up living in a soup of bile, do you? Or in a constant state of conflict? (*Note – do this exercise with yourself from time to time and become aware if you need to release yourself from some of your own unrealistic expectations, perhaps as regards how you handled a relationship, or a mediation!*).

2.9 The Open Heart and the Open Organisation

Conflict is a heart-shutting process. It is like a reverse pyramid or an iceberg. The substantial issues are all mostly at the top so it is top heavy and seems vast in scope. Getting to the core, the tip of the iceberg *that is submerged underneath the surface of the conflict*, is key. Very often, the full dimensions of the conflict are invisible until such time as you go deep-sea diving and detect it (using a kind of meditative sonar as a listening device). When conflict remains a heart-shutting process, you experience a closedown of communications and relations, with stagnation of positions and no forward movement. A mediator can work to change this paradigm by becoming multi-partial. Find the trigger that releases the heart, your own or others, and you begin to enable the parties to find a solution to the problem themselves.

Where conflict appears to be institutional within an organisation, it may be necessary to explore the need for conflict resolution systems design. Continuous firefighting and diffusing of altercations and disputes can be symptomatic of a deeper malaise requiring a review of the fundamental underlying factors that give rise to disturbances. Conflict resolution systems design can be a useful way to stop the fighting, get the parties together to take time out and look more deeply at the issues that are contributory factors, as well as looking at the underlying emotions.

2.10 The Crossroads to Conflict

Every conflict occurs at a crossroads. Conflict always emerges at the right time, when it is ripe, even if the parties think that it comes at the worst of times. Our conflicts force us to address what we have not yet learned to deal with satisfactorily and they challenge us, when necessary, to grow and develop new skills. In this way, every conflict brings us a lesson to learn, if we can get to its core and are willing to take on board what it is telling us. All resistance to conflict reflects an unmet need and the natural state of conflict is *impasse*. By addressing the conflict and engaging the parties through dialogue, we enable them to become unstuck and to move forward to new ground.

Some conflicts may appear to be resistant to mediation. If this seems to be the case, the mediator can take a step backwards and, working with each of the parties either separately or together; let them off the hook only to put them back on the hook again, so to speak. The difficulty may lie, not so much in the process of mediation, but in figuring out what the real problem is. Hooking and unhooking, using the right bait to catch the right fish, takes time to learn. We learn more sometimes from the ones that got away.

Just when you think you have identified what the problem is all about, it can become elusive and nebulous, going to ground again. This is all part of the inevitable dance of mediation in that, once the problem has been clearly identified, it loses some of its magic and mystique and can be called by its name. This can be an uncomfortable process for one or more of the clients in that, if their problem is solved, it may have consequences or bring about withdrawal symptoms for them. They may have lived with their conflict for so long that it becomes almost part of them and they may even be reluctant to let go of it. Giving it up invokes a loss, even though that loss may be welcome and necessary.

2.11 Sympathy versus Empathy

Care should be taken by the mediator, when exploring the depths of the problem, never to sympathise with the party as to do so would be to take sides and make a judgement. The mediator can show compassion and understanding, but no more. Better to empathise with them, indicating that you want to find out what it feels like for them and understand what they are going through. Show that you understand their feelings but always resist the temptation to go any further. Sympa-

thy is inappropriate in mediation and may even constitute a boundary violation in the mediation process.

An empathetic question asks for permission to cross a boundary. Sympathy and compassion involve a little bit of loss of self for the mediator, which is undesirable. Empathy allows one to acknowledge and understand, but not step in. It allows the mediator to remain whole and to maintain the integrity of the mediation process.

During mediation, it is as if there are two role-plays going on inside your head simultaneously. You acquire and understand the details of each case, you sense their emotions, you feel their pain and fall towards that source of longing within yourself. People will respond to your empathy in that they will know that they have been heard and understood. If the mediator can find this place within themselves, this will resonate a sense of empathy to the other parties. It will invoke a reaction in them, whether they verbalise it or not.

2.12 Honing Your Skill Set as a Mediator

In order to ensure that your skill set is professionally honed to reach someone in a dilemma or conflict, you must first of all make sure that you are completely present in the moment. Second, you need to be aware, and tuned in, to the level of permission that you are prepared to give to the person to open up further in the safe and confidential environment that you have provided. It is as if you create a tunnel, making a distinct one-to-one connection with the other, with a clear intensity of focus. As a guideline, use empathy to find the right question. Then use honesty to put it out there, with a sense of humility and non-judgement, waiting for the person to respond as they deem appropriate.

In matters of the heart, learn the skill of letting go and moving towards something (perhaps even going against your nature in so doing). Then, tighten up and move away when it seems instinctively right to do so. This is the flow in the *yin* and *yang* of conflict resolution. It is the currency that allows us to trade in the conflict of another. To achieve this, however, you must be centred in yourself, know your latitude, longitude, height and timing of your interventions and navigate the linguistic interactions with the skill of a surfer, riding the waves of conflict. This will inevitably lead you, and them, safely to the shore.

2.13 Getting the Maths Right

A mathematical analogy is useful in determining the scope and scale of any conflict and the potential for generating solutions. Ask yourself the following questions:

- Does the conflict represent a *single point* with zero dimensions (in which case the party is fixed, stuck, at *impasse* and unlikely to move in any direction)?
- Is there *movement in just one direction* (in which case you can encourage that party to elongate a line depicting his or her personal view and this will bring more clarity and understanding to the mediation process)?

- Is there *movement in two directions*, perhaps opposing (in which case, it may be a good way of defining what the separate positions of each party are)?
- Can you get the parties to move their lines of position and perhaps *make their lines of opposition into a rectangle* (in which case you can broaden their understanding, bring more freedom to the process and lay the ground for compromise as part of a two-dimensional solution)?
- Finally, does the conflict appear to be *three-dimensional* (which adds to its depth and complexity but may provide more scope for a creative solution)?

Compromise alone may not be enough to resolve a complex, multidimensional dispute and the mediator will need to be able to guide the parties to go deeper into an interests-based exploration in order to fathom the depths of the situation.

So, simply expressed in mathematical terms, a conflict can be compared to a *point*, a *line going in one direction*, a *line going in two directions*, a *rectangle*, a *cube* or even a *hypercube*. The problem is to know, and identify, exactly what one is dealing with. The challenge is that, today, we are living in a hypercube world with two-dimensional thinking. The shortcomings are clear.

Organisational conflict, for example, is generally one-dimensional and so the mediator has to be able to engage the parties in a way that can potentially expand the boundaries. If this is not achieved through interests-based negotiations, then ultimately it may become a matter for the courts to rule on through litigation.

2.14 Recognising When a Conflict Is Over

When the lesson of the conflict has been learnt, the conflict disappears. It no longer exists and moves to the past. This can be a liberating moment as well as a time of great release for the parties. Sighs of relief, exhaustion perhaps, or even the flicker of a smile can grace the lips of even the most obstinate of adversaries once the storm clouds have passed. As mediators, we must learn to recognise and to savour the moment. It belongs primarily to the parties but we share in their joy and relief. We should, therefore, try to make sure that closure is achieved, to the extent possible, in a human and caring way.

At moments like this, one can clearly see the advantage of *focusing on prevention instead of resolution*. Pain, stress, worry, anxiety, uncertainty, animosity, breakdown in communications and deterioration in relations, all existing for what purpose, one might ask? 'For this very moment of resolution and what it brings', one might knowingly reply. We can wait for this moment for an hour, a day, a month, a year, a decade or a lifetime. We will always know when it comes because it will make us free. Celebrate the freedom it brings.

2.15 Creating a Feedback Loop

In organisational conflict, for example, the mediator can endeavour to create a feedback loop that is appropriate both to the context and to the working environment. This is a key element in aiming to avoid future conflicts

of a similar nature. The comportment of the mediator, and how they set about this task of giving feedback (more on the lessons learned, rather than the specific details of the case which always remain confidential) is very important in this respect. Face to face feedback is best but be aware that, in conveying a message, tone of voice has a 60-70% impact on the receiver of a message, body language accounts for only 10% and meaning comes third with something between 7 and 8%. In addition, there are high content and low content cultures so what may work well in one organisation may be considered inappropriate in another.

2.16 Us and Them

Be aware of the advantages of depersonalising a problem. Consider, for example, the simple use of a pronoun. Saying 'It is a problem' allows for the definition to be made *outside* of the person. If one were to say either, *I*, *you*, *he*, *she*, *we*, *you* or *they* are the problem, this is quite another matter, since it tends to personalise it. Ideally, try to separate the person from the problem if you want to succeed in keeping the emotional content under control.

Using the word 'we' invites a sense of collaboration and an invitation to participate. Remember, the Universal Declaration of Human Rights represents a floor, not a ceiling so know where the issue is grounded and this will enable you as mediator to set the scene, the level, the dimensions the scope and the potential for solving the problem.

Listen carefully to the vocabulary that the parties are using and watch out for clues. Sentences that begin with 'You always...', for example, can be interpreted as meaning that 'Your actions are too much for me and I have had enough of them!' On the other hand, ones that begin with 'You never...' would seem to indicate that 'Whatever you're doing is not enough for me and I have higher expectations in relation to which you always fall short. I want you to do better.'

In this sense, the mediator must remain clued in and must ask the right questions in order to elicit the right responses. Being omnipartial (that is on everyone's side) is the key.

2.17 Recognising the Chronic Sources of Organisational Conflict

What are the chronic sources of organisational conflict? An organisation is a system. Human systems are open. An organisation consists of people who have a working relationship with each other. Relationships are built on a set of conversations, ideas and encounters. *You can change the organisation by changing the conversations that take place within it*. Remember, the working environment is also a part of the system.

What generally happens to conversations within organisations? They get distorted and their content changes. This can breed competition, confusion or conflict. It is interesting to check which messages get to the top and which filter down to the bottom. The messages that get all the way up to the top are the ones that benefit the

people in-between. An organisation represents a complex system of communication. There is no simple feedback loop and internal communications are often out of sync. This then manifests as conflict. So, *conflicts are the sounds made by the cracks in the system*. But the cracks too are *what let's the light come through!* Similarly, there is distortion in top-down communication. The dangers are reversed and in feeding messages back down the line, they are often sanitised and distorted in order for people to maintain their power bases and preserve their empires and their jobs. The top of the organisation needs feedback; the bottom of the organisation needs listening to. Both ends need to learn.

Where there is only vertical freedom in communication, communication is one-dimensional. Where there is horizontal freedom, this can be enhanced through teams. The more diverse the group, the richer the problem-solving potential. For example, where there is only one dimension of freedom in communication, this restricts diversity and people who do not conform and express their own opinion may be seen as disloyal.

The culture of an organisation is what everyone knows but no one talks about openly. There are also micro-cultures within organisations and these too can be potential sources of conflict. Efforts to change or improve the cultural dimensions of an organisation can meet with varying responses. Where a culture is especially toxic or noxious, one might expect to be met with silence, at best, and hostile opposition at worst. Where elements of contempt openly permeate the system, these can be palpable. Ways in which there can be a cultural audit to determine the prevailing factors include questionnaires to elicit staff views, 360-degree feedback, performance appraisals, etc.

Feedback, honesty and support are all essential ingredients in attempting to influence culture change. Change agents should be aware of powers of association and of interconnection. It is also useful to differentiate between the led and the managed. Make a shift, therefore, from management to leadership in order to achieve greater effectiveness. Also be aware of how you are perceived. Ask yourself 'How am I seen by others?' Take the time to learn how to lead. Involvement is one step up from compliance. Administration can involve bureaucracy, control and compliance – so choose the level or levels that you want to operate in and know the difference between administration and leadership.

2.18 A Values-Based Culture Where Leaders Lead by Example

Ideally, try to influence the culture to reflect the values of the organisation. If you want to get from an iceberg to an ice cube (that is from a big problem to a smaller, more manageable situation), you have to accept that there will be a puddle on the floor! Either you can set about to change organisational culture, or you have a very savvy leader who does not talk about it but just goes ahead and does it, maintaining a kind of secret or invisible buffer. Learning to become a leader involves, first of all, getting buy-in (*stop being a manager and start*

becoming a leader). Secondly, find ways to do things better and involve your staff, building on *their* ideas. Thirdly, make sure that conflict is aired, and appropriately dealt with internally in a timely manner. A wise leader will introduce a level of disorder in order to become more ordered, regaining greater control in the process and bringing the people along with him or her.

In a hierarchical situation, conflict is often suppressed. An administration is rights-based and a hierarchy is power-based. Don't set about to try to eliminate conflicts but try instead to help them to evolve. Perhaps one might carry out a survey to ascertain what is working and what is not? There is a hierarchy of power, rights and interests (with interests at the bottom). Accordingly, it makes sense to start at the bottom if one wants to get staff buy-in and encourage them to participate actively in a change initiative.

Try to find a process that matches the conflict. There are multiple sets of chronic sources of conflict; so, first, identify as many as you can. Then analyse them giving, perhaps, three examples. Next, consider what might be done about the situation and identify what are the options. Finally, write it up in a report or recommendation so that your evaluation of conflict becomes transformed into a suggestion for improvement. In this way, you can take complaints on board but turn them into suggestions for ways of doing things better.

Overall, this will enable you to gauge the extent to which there is a complaints attitude in the organisation. Workplaces that are destitute of pleasure need special care and caution. Know your working environment and become *au fait* with what is likely to make a positive contribution to change and what is likely to be perceived as being negative. Read *The end of management and the rise of organisational democracy* by Ken Cloke for some inspiration on this aspect. Also read his books on *The Crossroads of Conflict* and *Mediating Dangerously*. In fact, I recommend you read everything by him that you can get your hands on.

Be aware that there is a difference between rule-driven values and value-driven rules. Encourage people to talk about developing a set of shared values, write them down and put them on a wall. Don't just leave them there, thinking that the job is done! Talk about what we will do when someone undermines our values, for example, but avoid the notion of having some kind of Value Nazis to police the upholding of values. Talk to people offline and ask their permission to give them honest feedback and ask them to do likewise to you, if you so wish.

2.19 Conflict Resolution Systems Design

Develop your skills in conflict resolution systems design and focus on two important aspects – first of all, prevention and secondly, making conflict less damaging or less serious where it does take place. Identify, for example 'Ten things your organisation could do to minimise conflict'.

What about conducting a conflict audit? Encourage the development of a participatory rather than a conflictual

approach between people and services. Learn how to design conflict resolution systems. Be aware of what currently exists, if anything, for resolving disputes and know what works and what does not. The average manager spends 25% of time on conflict resolution, it is said. Prevention is cheaper and more effective so make this your main focus. When people stop working due to conflict, they disengage and no organisation can afford for this to happen. Where do the complaints come from? Are they made to Human Resources (HR)? What does HR do about them? Develop a conflict audit framework. Identify what the organisation is spending on managing conflict. Consider teaming up with the Legal Service and/or the Internal Audit Service in order to improve efficiency in tackling conflict prevention. Estimate the cost of avoiding some recent law suits. Also, it may be a good idea to involve HR and to ask them to identify the cost of absenteeism or invalidity due to unresolved conflict.

Become familiar with the main elements of systems design and adopt a systems-based approach to problem-solving. Build in safety nets to stop people falling through the cracks. Provide for loop-backs to make sure that the input/throughput/output model of recruit/maintain/deploy your workforce operates effectively. Encourage the development of low costs and interest-based solutions. Build in a motivation factor as well and see how it can be measured.

If operating in a unionised environment, consider working with the unions and finding ways to keep their membership informed of progress made and the benefits of avoiding unnecessary conflict. Consider targeting places of entry to the source of conflicts for early detection purposes. Where does it all appear to stem from? Offer your mediation skills in the context of collective bargaining facilitation and move the organisation towards understanding and appreciating the concept of conflict resolution systems design and the added value that it brings.

2.20 Reinvent Yourself in the Process

Identify the kind of services that your organisation requires and set about providing them yourself, as part of your expanded role as mediator. For example, could you provide services such as conflict coaching, systems design, facilitation, problem-solving, mediation (at individual, team and organisational levels), collective bargaining facilitation, conflict prevention, etc.? Overall, try to bring transparency and honesty to the process. Don't be afraid to use phrases like

Is this conversation working? Would you like it to work? Why? Could you tell the other person what that would mean to you and how it would make you feel?

Dare to have the unspeakable conversations. Go with confidence towards identifying the invisible lines of demarcation in conflicts; be aware of the impact on organisational culture and on individuals. Be aware of

the *lace curtain syndrome*, dressing things up to give the pretence that everything is just fine. Do you have the ability to see and understand things as they really are or are you dressing things up with lace curtains? Look carefully. Does the emperor really have any clothes? And while you're at it, take a good fresh look at yourself. Try to figure things out and get to grips with what's required. The situation will tell you. Look for ways to make it work and try to recreate yourself in the process, being open to feedback and new learning. Give yourself permission to do what you think needs to be done. Involve your organisation and get their backing, sharing your vision so that it can perhaps have an input to the organisational vision. Show that you are willing to drive the vision and to lead by example.

Now that you have become an energy force in the field of mediation, tune into who you are and what your gifts are. What can you do? How can you contribute? Are you actively doing this? If not, why not? What's holding you back?

2.21 Building Trust, Sustaining Yourself and Staying Focused

Conflict presents us with opportunities for new conversations. The first casualty of organisational conflict is trust. Where there is ubiquitous leadership, this affects everyone. So, take a scientific approach. Tune into the full span and scope of the conflict by breaking it down. Feel what it is telling you, sense the meaning, ask the right questions and develop a sense of renewable synergy. In those dark moments when you are wondering if it is all worthwhile or if you have what it takes to stick with it and make a positive difference, then just add up the cost of the conflict and the cost of doing nothing. This may help to give you the motivation you need to keep going.

Never set about to eliminate conflict but rather to improve the way in which you respond to it and how it is dealt with. Where conflict is endemic, take your oxygen tank with you as you plunge into the depths. That way you will have the tools you need to sustain yourself, coming up for breaths of fresh air when you need to review the overall scene or stand back and get things better into perspective.

Why not consider putting a mediation clause into business contracts so that there can already be an in-built trigger in place to address the issues if things go wrong? Develop a collaborative approach to conflict management – perhaps something like the multi-door courthouse where people can go to be helped, in a broader context, to consider all their options. That way, they don't have to choose too early in the process but can be best guided at an early stage to the most appropriate option. In any given case ask yourself

Is this conflict affecting the individual or the manager or HR or the Welfare Service or Mediation or the formal complaints procedure or the staff committee or the trade unions or the organisation or its stakeholders? Who should tackle it or is it best left alone?

The organisation is ultimately answerable to its stakeholders and sources of internal conflict are often easily visible from the outside. Organisations need to be conscious of this and see the benefits of putting their house in order, uniting their workforce behind a common goal. This is what makes a good organisation great.

Overall, try to strike a balance between developing rights-based solutions and interests-based solutions and remember that rights are limitations on power. Ultimately, it is the interests of the stakeholders that will decide the future of an organisation.

2.22 Interpreting What You Have Learnt – Do It Your Own Way

At the end of the day, learning is a very personal experience. Two people can attend the same training course, or Master Class, and take away very different learning experiences from it. Take what works for you and adapt it to your own working environment. This is what Ken Cloke advises.

I share this with you in the hope that it will bring you some insight and food for thought as regards the benefits of the mediation process, especially in an organisational context. Trust the process of mediation and it will not let you down.

Enjoy your flight and your mediation and, where possible, learn from the Masters.

Post scriptum: The **Mediator's Flight Plan** has happily kept my feet 'off the ground' for the past 12 years and has inspired me to fly. I share it now in the hope that it may also inspire other mediators to dare to soar.